1 AN ACT concerning State government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

- Section 1. Short title. This Act may be cited as the Social
- 5 Services Contract Notice Act.
- 6 Section 5. Definitions. As used in this Act:
- 7 "Authorized service provider" means a non-governmental
- 8 agency responsible for providing services on behalf of the
- 9 State of Illinois under a grant awarded or a contract,
- 10 fee-for-service agreement, fixed-rate agreement, or service
- agreement entered into by a State agency.
- "Direct services" means those services that are provided
- 13 directly to Illinois residents by an authorized service
- 14 provider through a grant awarded or a contract, fee-for-service
- 15 agreement, or fixed-rate agreement entered into by a State
- 16 agency.
- "Social services" or "services" means direct services that
- are provided by a State agency through a grant awarded to or
- 19 service agreement or contract with an authorized service
- 20 provider and that are designed to ensure the health, safety,
- 21 education, or welfare of Illinois residents.
- "State agency" means any department, office, commission,
- board, or authority within the Executive Department.

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Section 10. Termination of contract.

- (a) Any grant agreement, service agreement, or contract between a State agency and an authorized service provider for the provision of social services may be terminated by either party to the agreement, contract, or grant for any or no reason upon 30 days' prior written notice to the other party. Unless the Illinois Grant Funds Recovery Act provides otherwise, any suspension or reduction in the estimated amount of the grant agreement, service agreement, or contract shall be subject to 30 days' prior written notice to the other party.
- (b) A written notice issued by a State agency pursuant to subsection (a) shall include the date upon which the authorized service provider must submit its final invoice to the State agency for payment for services rendered.
- (c) Notwithstanding subsections (a) and (b), the State agency may, upon written notice, immediately terminate a grant agreement, service agreement, or contract for social services if the authorized service provider has made material misrepresentations or material omissions explicitly prohibited under the designated agreement or contract.
- (d) Nothing in this Section affects the parties' ability to immediately terminate a grant agreement, service agreement, or contract for breach of contract.
- 24 (e) This Section applies to agreements or contracts 25 executed on or after the effective date of this Act.

1 Section 15. Notice.

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- (a) If a State agency that provides social services to Illinois residents through a grant awarded to or service agreement or contract with an authorized service provider intends to suspend, terminate, or reduce the amount of a grant agreement, service agreement, or contract for a particular social services program due to the failure of appropriation or a reduction in the amount of available funds to support the program, the State agency shall notify the Governor, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate in writing of its intent to suspend, terminate, or reduce the grant agreement, service agreement, or contract. Such notice shall be provided no less than 120 days before the State agency suspends, terminates, or reduces the grant agreement, service agreement, or contract and must include the level of appropriations required to prevent any suspension, termination, or reduction.
- (b) This Section applies to agreements and contracts entered before, on, or after the effective date of this Act.
- (c) Failure of a State agency to submit notice to the General Assembly as required under this Section shall not prevent termination of a contract or agreement entered into prior to the effective date of this Act.

- Section 20. Waiver. The requirements of this Act may not 1
- be waived by agreement. 2
- Section 99. Effective date. This Act takes effect upon 3
- becoming law. 4